

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

JUAN ISIDRO ITZEP, et al.

Plaintiffs,

v.

TARGET CORPORATION, et al.

Defendants.

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§ **CIVIL ACTION NO. SA-06-CA-0568-XR**

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**ORDER GRANTING PLAINTIFFS' MOTION FOR
PARTIAL SUMMARY JUDGEMENT**

On _____, the court heard the Plaintiffs' Motion for Partial Summary Judgment in this cause. It appears to the court that the motion has been made in proper form and time, that proper service of Plaintiff's motion has been made upon the Defendants, and that the Defendants have been properly notified of hearing on this motion. Having considered the Plaintiffs' motion, the pleadings, and affidavits on file in this cause, as well as counsel's arguments, the court finds that there is no genuine issue of material fact regarding joint employment of Plaintiffs' by Jim's Maintenance and Target and hereby GRANTS the following partial summary judgments:

1. Partial summary judgment against Defendant Target Corporation, ruling that the Plaintiff janitorial workers were jointly employed by Target within the meaning of the FLSA, so that Target would be jointly and severally liable for any unpaid wages that are determined in this action to be due to the Plaintiffs under the FLSA for the work they performed for Target and Jim's Maintenance; and

2. Partial summary judgment against Jim's Maintenance, ruling that the Plaintiffs were also jointly employed by Jim's Maintenance within the meaning of the FLSA, so that Jim's Maintenance would be jointly and severally liable for any unpaid wages that are determined in this action to be due to the Plaintiffs under the FLSA and should Jim's Maintenance ever possess any assets from which such wages could be recovered.

IT IS HEREBY ORDERED AND DECREED that Plaintiffs' were joint employees of both Jim's Maintenance and Target.

SIGNED ON _____.

BY PRESIDING JUDGE:

ENTERED ON _____

BY CLERK OF THE COURT:
